

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2007-228-G - ORDER NO. 2008-48  
JANUARY 25, 2008

IN RE: Petition of the Office of Regulatory Staff	)	ORDER CONTINUING
Requesting Rule to Show Cause to Quail	)	HEARING AND
Pointe Apartments, 460 E. Blackstock Road,	)	REQUIRING NEW
Spartanburg, SC 29301 as to Why Quail	)	DEADLINES
Pointe Apartments Should Not Be Regulated	)	
as a Public Utility	)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Motion of counsel for Quail Pointe Apartments, LLC (Quail Pointe) for a continuance of the proceedings scheduled for February 12, 2008, and an extension of time in which to file testimony.

In this action, the Office of Regulatory Staff (ORS) has requested that this Commission issue a notice to require Quail Pointe to appear and show cause why Quail Pointe Apartments should not be regulated as a public utility under the jurisdiction of the Commission. Although Quail Pointe was served with the Commission's notice and has submitted an answer, Quail Pointe Apartments, LLC has sold the apartments which are the subject of the ORS Petition to a third party, who now owns and operate these apartments. According to counsel, it would appear that this Docket cannot be fully and completely resolved without joining this necessary third party. Accordingly, Quail Pointe

moves for a continuance and an extension of all prefiling deadlines for the purpose of joining a third party necessary for the full and complete resolution of the pending Docket.

ORS consents to the Motion, which would allow Quail Pointe to crossclaim against the third party. However, ORS proposes that this Commission issue a scheduling Order sufficient to ensure the prompt filing and service of a petition to join the third party and setting reasonable prefiling deadlines once the third party is joined in the proceedings. Quail Pointe consents to the ORS proposal.

We have examined this matter, and agree with Quail Pointe that the third party who is the new owner and operator of the Quail Pointe Apartments is a necessary third party to this matter, and that, further, this Docket cannot be fully and completely resolved without joining this third party. Accordingly, we grant the Motion for continuance of the hearing date past February 12, 2008, in order to allow Quail Pointe to crossclaim against this third party. We would direct the Commission's Docketing Department to establish new dates in this matter for a hearing and for the prefiling of testimony and exhibits, and would state that the new schedule should ensure prompt filing and service of a petition to join the third party, and, further, that the Docketing Department should set reasonable prefiling deadlines, once the third party is joined in the proceedings.

This Order shall remain in full force and effect until further Order of the Commission.

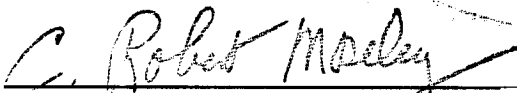
BY ORDER OF THE COMMISSION:



---

G. O'Neal Hamilton, Chairman

ATTEST:



---

C. Robert Moseley, Vice Chairman

(SEAL)